UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

17-1228 - Neology, Inc. v. Kapsch TrafficCom IVHS Inc.

Opening Brief for Appellant Neology, Inc.

ORDER

The foregoing, having been received and examined, is not in compliance with the rules of this court and is therefore rejected for filing at this time.

A corrected brief must be filed within 14 days from the date of this order or there could be adverse consequences. The deficiencies are set forth in the attached listing. The following shall apply when making corrections:

1. The corrected brief must have the word "CORRECTED" on the cover.
2. The corrected version must be served on all counsel.
3. The corrected version must be accompanied by a new proof of service.
4. The deficiencies cited in this order must be the only changes made to the brief.

Calculation for the next filing starts from the service date of the original version, not the corrected version.

FOR THE COURT

May 31, 2017

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

cc: Gregg F. LoCascio
Nathan S. Mammen

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The Opening Brief for Appellant Neology, Inc. has been rejected for following reasons:

- The cover does not follow the official caption provided by the clerk, which has been reproduced below. Fed. R. App. P. 32(a)(2)(C)

NEOLOGY, INC.,

Appellant

v.

KAPSCH TRAFFICCOM IVHS INC., KAPSCH TRAFFICCOM HOLDING CORP.,

Appellees

- The brief does not contain the judgment, order, or decision in question, and any opinion, memorandum, or findings and conclusions supporting it, as an addendum placed last within the brief. Fed. Cir. R. 28(a)(11)

- Some references in the brief to pages of the appendix do not follow the format specified in Fed. Cir. R. 30(b)(4)(E). Fed. Cir. R. 27(f). Specifically, when referring to a range of appendix pages, both the first and last page in the range must be listed in their entirety. For example, “Appx623-51” on pg. 3 is non-compliant. The correct reference would be “Appx623-651.” Please ensure all references in the brief are compliant.